

The Village of Mamaroneck
Harbor Coastal Zone Management Commission
Mamaroneck, NY 10543
March 4, 2019

Christopher Lang
Division of Environmental Permits
NYS Dept. of Environmental Conservation
21 South Putt Corners Rd.
New Paltz, NY 12561

Re: **DEC Application No. 3-5548-000318/00006**
Tabaddor Residence
700-702 Taylors Lane

Dear Mr. Lang,

Pursuant to your request to the Village of Mamaroneck Harbor & Coastal Zone Management Commission for a determination of whether this proposed project is consistent with our LWRP, please be advised of the following:

1. The VoM HCZM does not have an application, local CAF, copies of all permits required or set of plans before it to adequately assess the scope of the proposed project or the implications and potential impacts to our local waters and lands protected by our LWRP
2. Documentation required by our LWRP to make a consistency determination include:
 - a. Complete and Accurate –VoM Application and Coastal Assessment Forms and set of detailed plans
 - b. Copies of all permits required, or letters of no permit required by issuing agency.
 - c. Land ownership documentation from High tide to water and underwater lands in Long Island Sound Tide lines – high, mean high, low, spring high etc.
 - d. Wetlands and buffer area delineation on the maps.
 - e. Any and all items requested when an application is submitted to the VoM and placed on the Agenda for a scheduled monthly HCZMC meeting and any documents requires as needed at the meetings
3. The State Coastal Assessment Form has information that appears to be incomplete and or inaccurate, see details below
4. General Safety is of prime importance for all persons and habitats. We need to ascertain if this project poses any risks to the dam or water flows at this site
5. The applicants may, in their discretion, elect to adjourn this matter before the DEC until a complete application is before HCZM so that a true coordinated review can be properly undertaken
6. Based upon these items and the letter sent by NYS DEC to the Tabaddors on October 24, 2018 providing Notice of Incomplete Application, and a follow up memorandum dated February 25, 2019, we have determined that a replacement of a water line that enters into, traverses through, and exits Mill Pond, locally known as Van Amringe Pond, to serve the properties on Taylor Lane would not be consistent with

our LWRP as it potentially does not comport with, including but not limited to, Policies 7, 7a, 8, 23, 33 and 44 and others as we review the application, permits required and plans.

Specifics:

1. The coastal assessment form documentation, as requested then received via email from DEC 2/27/19, contains errors/omissions of fact relative to maps and documentation contained in the Village of Mamaroneck's LWRP and additional resources in the following.
2. This proposed action is contiguous to/located in:
 - a. a wetland, per NWI an **Estuarine and Marine Deepwater habitat (E1UBL)**
 - b. Two designated critical environmental areas, Long Island Sound and Van Amringe Mill Pond noted at <https://www.dec.ny.gov/permits/25161.html>
 - c. A conservation /open space area. At page 15 LWRP map of conservation areas, and at LWRP page 16 Van Amringe Mill Pond is described as: a littoral zone, habitat for resident, overwintering and migratory waterfowl, fish, shellfish (major hardshell clam and oyster habitat), concentration of fish and waterfowl including osprey.
 - d. A flood hazard area.
 - e. A designated significant fish and wildlife habitat per LWRP natural resources inventory map at page 17.

Given the above the following needs to be undertaken:

1. Revise the coastal assessment form to reflect yes responses in questions C. 1. a. and C. 2. e to reflect accuracy on our LWRP's program and purposes.
2. Adhere to instructions and specific submission requirements in section D of this coastal assessment form.
3. Based upon the letter sent by NYS DEC to the applicant on October 24, 2018 providing Notice of Incomplete Application; which our village/ commission never received until it was included in your follow up memorandum sent via email dated February 25, 2019, we have provisionally determined that replacement of a water line that traverses Mill Pond, locally known as Van Amringe Mill Pond, to serve the properties on Taylors Lane would not be consistent with our LWRP as it potentially does not comport with, including but not limited to, Policies 7, 7a, 8, 23,33 and 44 and others based upon our review of the full project documentation and any items discussed at our monthly HCZMC meetings as we review the project.

Sincerely,

Tony Gelber

VoM HCZMC, Chair

Jennifer Bienstock-Cohen

Vice Chair